

UNITED STATES DISTRICT COURT  
*for the*  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

REBEL HAYS  
Plaintiff.

-v-

MEDICREDIT INC /D.B.A  
THE OUTSOURCE GROUP  
Defendants.

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Case No. 1:14-CV-579

Hon. Judge Gordon J. Quist

Joint Status Report Pursuant to Rule 26(f)

Plaintiff in Pro per and Defendants, through their undersigned counsel, submit the following Joint Status Report as required Scheduling Order by the Court on Aug 22, 2014. Per the Court's order regarding Joint Status Report, the parties have conferred regarding the status of this litigation and respectfully submit the following statement of their respective interests:

(A) Brief Summary of the Claims & Statement of the Case:

Plaintiffs allegations are summarized as follows: Beginning approximately February of 2013 and continuing through end of September 2013 Defendants called Plaintiff using "automatic telephone dialing system" (ATDS) capable equipment and left artificial or prerecorded voice messages on Plaintiffs (Verizon) wireless phone, Not all calls were documented, upon information Plaintiff believes there were more then 50 robo calls made with leaving prerecorded artificial voice messages, approximately 23 were documented after Plaintiff ask Defendant to cease calling. Plaintiff has never had any personal or business relationship with Defendants nor has Plaintiff given any express consent of any kind to Defendants to call Plaintiff's wireless phone. Plaintiff's wireless phone #269-743-4102 has also been on the Federal Trade Commission's National Do Not Call Registry since the year 2012. Defendants had no established business relationship with Plaintiff nor did they have an emergency situation or cause to call Plaintiffs wireless phone.

(B) Status of Service Upon All Defendants:

All defendants have been served and are represented by counsel.

(C) Joinder of Parties/ none at this time.

1. Amendment of Pleadings – October 24<sup>th</sup> , 2014

(D) The basis for jurisdiction and venue:

All actions in which gave rise to the violations took place in Michigan in the county of Cass Plaintiffs states that this Court has subject matter jurisdiction over this action pursuant to 47 U.S.C. §227(b)(3), and 15 U.S.C. §1692k (d). Supplemental jurisdiction exists pursuant to 28 U.S.C. § 1367 and Venue is proper for The Western District of Michigan Southern Division pursuant to 28 U.S.C. § 1391b.

(E) Alternative Dispute Resolution, March 21<sup>st</sup> of 2015

(F) Dispositive motions:

The parties propose a deadline of no later than May 15<sup>th</sup> 2015 for filing dispositive motions.

(G) Proposed dates for final pretrial conference, and Trial:

The parties request a trial by jury. Trial date: At this time, the parties have no objection to the proposed trial date of July 21<sup>st</sup> 2015. The parties request a twelve (12) member jury length of trial – 3 days, 1 ½ to Plaintiff; 1 ½ to Defendant Proposed final pretrial conference date: June 29<sup>th</sup> , 2015; Proposed Trial Date July 21<sup>st</sup> 2015

(H) Pendent State Claim – This case does include pendent state claims.

All claims are anchored to a claim in the action over which federal jurisdiction is appropriate.

(I) Electronic media:

The parties have taken reasonable steps to preserve all computer, cell phone and electronic based media, and will produce the relevant information in a mutually agreed-upon format.

(J) Disclosures :

Plaintiff 10/1/2014, Defendant 10/1/2014, Plaintiff's experts by 1/1/15, Defendant by 2/15/15

(K) Assertion and Determination of Claim of Privilege:

Parties have not agreed on a procedure

(L) Prospects of Settlement –

On September 5, 2014, Plaintiff issued a demand.

/s/ Scott Dickenson

Scott Dickenson, MO#50478

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Respectfully Submitted ,

Rebel Hays  
31283 HWY US 12  
Niles, MI. 49120

x 

X /s/ Rebel Hayes

*seal*

### Certification of service

I hereby certify that on , I have served a copy of the foregoing F26 Rule via electronic mail, facsimile and certified first to the following address of this notice:

Rebel Hays  
31283 HWY US 12  
Niles, MI. 49120

X /s/ Scott Dickenson

*seal*